



05-1606

AFK/IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James A. Vanek

Serial No.: 10/692,402

Filed: October 23, 2003

For: Collapsible Mixing Wand

Attorney Docket: Sport.201

Confirmation No: 8500

May 12, 2006

Group #: 1723

Examiner: Tony Glen Soohoo

Customer Number: 23855

MS AF

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

S i r:

**TRANSMITTAL OF NOTICE OF APPEAL; PRE-APPEAL BRIEF REQUEST AND ATTACHMENTS**

Enclosed is the following document for the above-identified Application:

1. Notice of Appeal
2. Pre-Appeal Brief Request For Review
3. Arguments supporting Pre-Appeal Request for Review

X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to Account No. 22-0258.



A PTO Form 2038 credit card authorization in the amount of \$ 250.00 to cover the Notice of Appeal fee is enclosed.

Customer Number

23855

Respectfully Submitted,

ROBERT D. VARITZ, P.C.

Registration No: 31436

Telephone: 503-720-1983

Facsimile: 503-233-7730

Robert D. Varitz

4915 S.E. 33d Place

Portland, Oregon 97202

RDV:bd

enc.

#### CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No.

Date of Deposit - May 12, 2006

EV756095768US

I hereby certify that the attached NOTICE OF APPEAL; PRE-APPEAL BRIEF REQUEST AND ATTACHMENTS and a PTO Form 2038 credit card authorization in the amount of \$ 250.00 are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

MS AF

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Robert D. Varitz